

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**FRANCISCO A. BARELA,  
Plaintiff,**

**vs.**

**CIV. NO. 1:24-cv-01058-KG-JHR**

**LELAND DUDEK,  
Acting Commissioner of Social Security,  
Defendant.**

**ORDER**

On consideration of Defendant's Unopposed Motion for Remand to Agency pursuant to sentence four of 42 U.S.C. § 405(g) (ECF No. 14), the Court hereby REVERSES the Commissioner's decision in this matter under sentence four of 42 U.S.C. § 405(g), and REMANDS the case to the Commissioner for further administrative proceedings.<sup>1</sup> *See Shalala v. Schaefer*, 509 U.S. 292, 296-302 (1993).

IT IS SO ORDERED this 7<sup>th</sup> day of March, 2025.

/s/ KENNETH J. GONZALES<sup>2</sup>  
CHIEF UNITED STATES DISTRICT JUDGE

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<sup>1</sup> The Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.

<sup>2</sup> Please note that this document has been electronically filed. To verify its authenticity, please refer to the Digital File Stamp on the NEF (Notice of Electronic Filing) accompanying this document. Electronically filed documents can be found on the court's PACER public access system.

Submitted by:

s/ Victoria V. Johnson  
VICTORIA V. JOHNSON

ATTORNEY FOR DEFENDANT

Approved by:

s/ electronically approved  
BEN DECKER  
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ATTORNEY FOR PLAINTIFF